

REMARKS

Claims 2-5 and 15-27 were pending in this application. Claims 2, 15, 23, 25, and 27 are amended herein. It is believed that no new matter is added. Claim 18 is canceled herein. No claim has been allowed. Claims 2-5, 15-17, and 19-27 are currently pending. Although this amendment is proposed after a final rejection, it is respectfully submitted that entry advances prosecution by placing the claims in a better position for allowance or, in the alternative, an appeal.

Formal Matters

Applicants gratefully acknowledge the withdrawal of the rejection of claim 2 made under 35 U.S.C. § 112, first paragraph and the rejection of claim 5 made under 35 U.S.C. § 112, second paragraph.

Rejection Under 35 U.S.C. § 112, first paragraph

Claim 23 is rejected under 35 U.S.C. § 112, first paragraph, as allegedly lacking enablement for the introduction of T cells to a recipient as well as administering IL-10 to a tissue to be transplanted. Applicants traverse this rejection for reasons of record. Nonetheless, in an effort to expedite prosecution, Applicants have amended claim 23 herein.

In light of the above, the basis for this rejection may be withdrawn.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 2, 15, and 25-27 were rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Applicants traverse this rejection.

Claims 2, 15, 25, and 27 are amended herein to indicate that the administration to T cells occurs *in vitro*. Claim 18 is canceled herein to maintain consistency with the scope of independent claim 15. Claim 27 is amended herein to further clarify that the identity of the precursor of the anergic T cell.

In light of the above, the basis for this rejection may be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or fees due in connection with this document to **Deposit Account No. 03-1952** referencing docket no. 140942000101. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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